

EXECUTIVE ORDER NO. 2008-08

WHEREAS, since September of 2007, Executive Orders 2007-16, 2007-19, 2007-20, 2008-02 and the directive contained in the letter dated November 14, 2007, have been issued by the Office of the Governor to the South Carolina Workers' Compensation Commission ("Commission"); and

WHEREAS, the Governor issued the above Executive Orders to ensure that the Commission faithfully adheres to the Workers' Compensation Act pursuant to Article IV, Section 15 of the South Carolina Constitution, which provides that "the Governor shall take care that the laws be faithfully executed;" and

WHEREAS, the Governor is satisfied that the Commission's interpretation of the Workers' Compensation Act as set forth in its October 25, 2007, En Banc Order is consistent with state statutes and South Carolina Supreme Court precedent; and

WHEREAS, the Governor has the right to request and obtain information and records under the Governor's authority granted in Article IV, Section 17 of the South Carolina Constitution, S. C. Code § 1-3-10, and *Rose v. Beasley*, 327 S.C. 197, 489 S.E.2d 625 (1997); and

WHEREAS, pursuant to S.C. Code § 42-3-80, the executive director of the Commission is charged with the duty to "[c]ompile all statistics and reports concerning the administration of workers' compensation laws and the disposition of claims related thereto;" and

WHEREAS, pursuant to S.C. Code § 1-23-140(3), administrative agencies shall "[m]ake available for public inspection all final orders, decisions and opinions except as otherwise provided by law."

NOW, THEREFORE, the Governor hereby orders the Commission, the Executive Director of the Commission, or any appropriate designee to produce to the Office of the Governor the Decisions and Orders of Single Commissioners and Orders of Appellate Panels, including all Orders with regard to attorneys' fees, in all contested cases arising under South Carolina Code Section 42-9-30. Such production shall be on a quarterly basis, but in no event shall any such production occur until the South Carolina Supreme Court has ruled on all claims pending in the matter of Governor Mark Sanford, Petitioner, vs. South Carolina Workers' Compensation Commission, et al.

FURTHER, this Order supersedes Executive Orders 2007 16, 2007 19, 2007 20, 2008 02 and the letters, forms and directives issued in conjunction with these executive orders.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH

CAROLINA, THIS 17th DAY OF JULY, 2008.

MARK SANFORD
Governor

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